

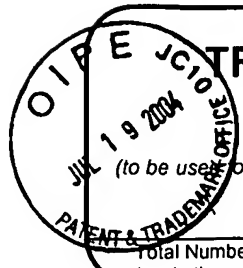
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission
(excluding references)

8

Application Number

10/767,296

Filing Date

January 28, 2004

First Named Inventor

John Y. Yan

Group Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket Number

50623.360

ENCLOSURES (check all that apply)

☒ Deposit Account 07-1850
Authorization

☒ Postage Paid Return Postcard

☐ Amendment / Response

☐ Amendment Transmittal Letter (in
duplicate)

☐ Affidavits/declaration(s)

☐ Petition for Extension of Time (___
months) (in duplicate)

☒ Information Disclosure Statement
(in duplicate) with Form PTO-1449
citing 73 References

☐ Express Mail Label No.

☐ Certified Copy of Priority
Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s) In/Formal ___ Sheets with
Submission of Drawings Transmittal

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) ___

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s)
(please identify below):

11 Foreign Patent Documents;
2 Other Documents

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Squire, Sanders & Dempsey L.L.P.
Paul J. Meyer, Jr., Reg. No. 47,791

Signature

Date

July 15, 2004

CERTIFICATE OF MAILING

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Date

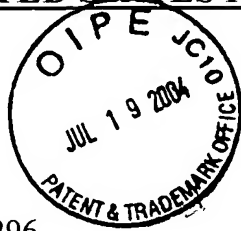
July 15, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Y. Yan



Examiner: Unassigned

Serial No. 10/767,296

Art Unit: Unassigned

Filed: January 28, 2004

Title: A Medicated Porous Metal Prosthesis and A Method of Making the Same

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§1.97-1.98**

Dear Examiner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the references listed on the attached Form PTO-1449. According to a Notice signed July 11, 2003, the U.S. Patent and Trademark Office has waived the requirement under 37 C.F.R. § 1.98(a)(2)(i) for all patent applications filed after June 30, 2003. *See*, 1276 Off. Gaz. Pat. Office 55. Since this patent application was filed after June 30, 2003, Applicant has not provided copies of the cited U.S. patents or the U.S. Patent Application Publications. Copies of the cited foreign patent documents and other non-patent documents have been submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute the listed documents as prior art during examination. Furthermore, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

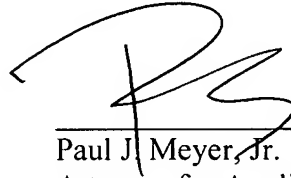
The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being filed before receiving the first Office Action. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required. However, the Commissioner is authorized to charge any deficiencies or other amounts due to Deposit Account No. 07-1850.

Date: July¹⁵, 2004

SQUIRE, SANDERS & DEMPSEY L.L.P.
One Maritime Plaza, Suite 300
San Francisco, CA 94111
Telephone (415) 954-0200
Facsimile (415) 393-9887

Respectfully submitted,

A handwritten signature in black ink, appearing to read "PS", is written over a horizontal line.

Paul J. Meyer, Jr.
Attorney for Applicant
Reg. No. 47,791

FORM PTO-1449 (Modified) Approved for use through 10/31/2002		US DEPARTMENT OF COMMERCE US Patent and Trademark Office		Docket No. 50623.360		Application No. 10/767,296	
INFORMATION DISCLOSURE CITATION in an Application (Use several sheets if necessary)				Applicant John Y. Yan			
				Filing Date January 28, 2004		Group Art Unit Unknown	
U.S. PATENT DOCUMENTS							
Examiner Initial	Ref. No.	Document Number	Date of Patent	Name	Class	Subclass	Filing Date if Appropriate
	A1	3,855,638	12/24/74	Pilliar	3	1	
	A2	4,101,984	7/25/78	MacGregor	3	1.5	
	A3	4,321,711	3/30/82	Mano	3	1.4	
	A4	4,355,426	10/26/82	MacGregor	3	1.4	
	A5	4,374,669	2/22/83	MacGregor	75	208 R	
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	A7	4,729,871	3/8/88	Morimoto	419	2	
	A8	4,733,665	3/29/88	Palmaz	128	343	
	A9	4,800,882	1/31/89	Gianturco	128	343	
	A10	4,886,062	12/12/89	Wiktor	128	343	
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	A12	5,234,456	8/10/93	Silvestini	606	194	
	A13	5,370,682	12/6/94	Schmitt	623	1	
	A14	5,370,684	12/6/94	Vallana et al.	623	1	
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	A23	5,571,187	11/5/96	Devanathan	623	16	
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	A42	5,843,172	12/1/98	Yan	623	1	4/15/97
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	A58	6,379,381	4/30/02	Hossainy et al.	623	1.42	9/3/99
	A59	6,610,087	8/26/03	Zarbatany et al.	623	1.32	11/16/99
	A60	2002/0038145	3/28/02	Jang, G. David	623	1.15	6/4/01

FOREIGN PATENT DOCUMENTS								
Examiner Initial	Ref. No.	Document Number	Date of Publication	Country	Class	Subclass	Translation	
							Yes	No
	B1	63-160645	07/04/88	JP			X	
	B2	3-14516	01/23/91	JP			X	
	B3	4-215768	08/06/92	JP			X	
	B4	WO 94/13268	6/23/94	PCT				
	B5	WO 95/11817	5/4/95	PCT			X	
	B6	0 687 008	12/13/95	EP				
	B7	8-33718	02/06/96	JP			X	
	B8	8-213026	08/20/96	JP			X	
	B9	WO 96/28115	9/19/96	PCT				
	B10	9-85028	03/31/97	JP			X	
	B11	WO 98/23228	6/4/98	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)								
	C1	Lambert et al., <i>Localized Arterial Wall Drug Delivery From a Polymer-Coated Removable Metallic Stent</i> , Circulation 90(2):1003-1011 (Aug. 1994).						
	C2	De Scheerder et al., <i>Biocompatibility of Polymer-Coated Oversized Metallic Stents Implanted in Normal Porcine Coronary Arteries</i> , Atherosclerosis 114:105-114 (1995).						
	C3							
	C4							
	C5							
	C6							
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								